

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

RICHARD S. STACK, M.D.,                     )  
  )  
                          Plaintiff,             )  
  )  
                  v.                             )             1:12CV148  
  )  
ABBOTT LABORATORIES, INC.,             )  
et al.,   )  
  )  
                          Defendants.         )

**ORDER**

On August 24, 2016, the United States Magistrate Judge's Recommendation (Doc. 106) was filed with the court and notice was served on the parties in accordance with 28 U.S.C. § 636. The parties timely filed objections (Docs. 114, 116, 145, 147) to the Recommendation.

The court has reviewed the portions of the Magistrate Judge's report to which objections were made and has made a *de novo* determination, which is in accord with the Magistrate Judge's Recommendation. The court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that Defendants' Motion for Summary Judgment (Doc. 87) is GRANTED IN PART and DENIED IN PART. Specifically, Defendants' motion for summary judgment as to Plaintiff's claims for royalty payments accruing prior to February 13, 2009, is GRANTED, and those claims are DISMISSED. As to all other claims, Defendants' motion is DENIED.

/s/ Thomas D. Schroeder  
United States District Judge

September 30, 2016